

WIDOW FIGHTS MR. ROOS'S WILL

She Contends that Her Husband Was Influenced to Insert a Clause in the Document Detrimental to Her Interests.

HIS NURSE IS INVOLVED.

Young Woman, Who Became a Boarder in the House of Too Much Trouble, Is Named by the Widow in Complaint of Undue Influence.

The fight for the estate of Leonard F. Roos among Maria B. Roos, his widow, and Louis Somerville, the lawyer who drew his will on Nov. 5, three weeks before his death, and Ellen Long, who nursed him in his last illness, began to-day before Surrogate Fitzgerald. The will disposes of an estate estimated at \$35,000 by Somerville, but the widow declares it is more than \$250,000. The document gives nothing to Somerville or Miss Long, but the fight is with them rather than with the chief beneficiaries, Marie Bruchin, Rosalie Burkhardt, Bertha Dick and Jacob and Susan Roos, brother and sisters, all of whom live in Zurich, Switzerland. Each of these is to receive a legacy of \$5,000 and the residue is to be divided equally among them if the will stands.

Mrs. Roos's Charges.
Mrs. Roos charges that she was forced from her own home by Miss Long, whom she had befriended, and lost under improper influences her husband's testamentary powers. She says that she had inserted this clause in his will: "It is my express intention that my wife, Maria B. Roos, shall not take any of my personal estate, and that she shall take only the share of my real estate to which she would be entitled according to law, I having always provided for her amply during her lifetime and she having at the present time sufficient means of her own."

William A. Chase, the artist, and Dr. James D. Trask are named executors, and Louis J. Somerville, the lawyer who drew the will, and Ellen Long sign as witnesses. The art expert and dealer signed his own name in full in a firm, small hand, "Leonard Frederick Roos."

Mrs. Roos claims that her husband made a will a year before his death in which she was treated more liberally, and that it was his last will. She says that Leonard F. Roos, the fifth avenue art dealer, and long a recognized connoisseur in art, died at his home, No. 146 East Forty-seventh street, last Thanksgiving eve.

They Storm the House.
News of his death first came to the public through the application of his widow, Mrs. Marie Roos, to Magistrate Crane for help to force her way into the house where her dead husband lay, and from which she was being excluded by a woman she had befriended.

Under the Magistrate's instructions to "batter down the door if necessary," Capt. Lantry sent Detective McCauley and five policemen, who fought their way in. Michael Timpano, an Italian, who said a lawyer had employed him to assist them in forcibly entering the house, was arrested by three other men.

Timpano had a note signed "L. F. Roos" authorizing him to remain in possession of his house and to allow no one to enter without a written permission from him.

In an earlier stage of the proceedings before Surrogate Fitzgerald, the lawyer for Mrs. Roos wanted Somerville about his being held on bail on a charge of "accelerating the death of Roos," but a coroner's jury found that he died of natural causes.

At the time of Roos's death Mrs. Roos said that Miss Long had been taken in by her as a boarder. One day when Mrs. Roos returned from a shopping tour she was denied admittance to her home, and was obliged to take refuge with relatives.

Somerville, replying to this, said that Mrs. Roos married her in 1875; that she was the divorced wife of a Mr. Blodgett and was much older than Roos. They had quarreled for years, and the lawyer said he arranged a separation under which she received \$50 a year from Roos. Roos, he declared, made a dying request that his wife be not allowed to see him.

Each side had a motion to make when the case was called for trial to-day. Frank Avery, for Mrs. Roos, asked for the appointment of a commission to examine the brothers and sisters, in Switzerland, as to whether there had been any influence in the Roos family.

Representative of the temporary administrator pending the determination of the contest on the grounds of undue influence was postponed until to-morrow.

SHERIFF BEFRIENDS A STARVING BOY.

Pays Cost of Sending Homeless Wanderer to Institution Where He Can Learn a Trade.

Magistrate Smith, in the Long Island City Police Court to-day, committed Jacob Weller, seventeen years old, to the Berkshire Industrial Home upon the request of Sheriff De Brugga, who had taken an interest in the boy when he was a prisoner in the Queens County Jail.

Young Weller came to this country with his father, mother and sister eleven years ago. They settled at College Point. A few years ago the sister was turned to death. The mother and father died a short time afterward, and the boy was left without relatives or friends. For a time he worked on farms, but this winter he could get no employment. A short time ago, when he was almost starving, he stole a coat machine and ate the chewing gum contained in it. He was arrested and sent to jail for three months. He was discharged last week.

He was called at the jail yesterday by Sheriff De Brugga that it was his duty to take him to the Berkshire Industrial Home. The Sheriff had him taken there and sent him to some institution where he could learn a trade.

MRS. ROOS AND ELLEN LONG, WHO ARE INVOLVED IN CONTROVERSY OVER ART DEALER'S WILL.



ELLEN LONG.

POLICE OBJECT TO PARADE ORDERS

Members of the Finest Are Opposed to Extra Work Which Coming Turnout of the Force Will Necessitate.

48 HOURS' STRAIGHT WORK.

An order has gone out from Commissioner Greene at Police Headquarters for daily police drills in preparation for the big parade of the entire force of Greater New York early in May. A storm of protest from the rank and file has followed the order.

No official act since Commissioner Greene took Mr. Partridge's office has so provoked the policemen. They are opposed to any parade which means extra hours for practice. There is no other topic discussed in the station-houses to-day.

Commissioner Greene is essentially a military man, and he is determined to make the police parade in May the greatest in the history of the department. One of his first expressed intentions after assuming the duties of his office was to re-establish the custom, which was dropped when Devory stepped out of office. The last police parade was held more than two years ago.

The first battalion has been ordered to report to-day at 7 o'clock to-day at the Twelfth Regiment armory, at Columbus avenue and Sixty-second street.

Capt. Mike Smith, who was so long in charge of the School of Instruction across the street from Police Headquarters, will be in charge of the men. Many of the men who will report to-day finished a twenty-four hour watch at 7 o'clock this morning and will go back on duty for another twelve hours at 7 o'clock to-night. They will practically be on duty for forty-eight hours at one stretch, and they will go to the drill to-day with a protest.

Yesterday being the last of the month, the day men as usual worked straight through the night shift. They were off duty at 7 this morning, roll call was at 7:20 o'clock, and it was 8 before they could eat a meal, leaving them only six hours to go home, sleep and prepare to be in trim shape for drill.

The first battalion is composed of the men from the Old Slip, Church street, Brooklyn Bridge, Oak, Elizabeth, Leonard, Charles, Macdougall, Mulberry and Eldridge streets stations. This battalion will drill each Monday at the same hour.

A second battalion will appear at the armory to-morrow at 2 o'clock and on other on Wednesday, and so on until the police from every station in the city are under weekly drill. It is expected that there will be six battalions at work.

Local Students for the West.
Prof. Stanley, of the University of Michigan, who fills the chair of music there, has been in New York for several days engaging musicians for his orchestra, the best-known being William Hoffman, of the Damrosch Orchestra. Mr. Hoffman is to have charge at Ann Arbor of the orchestral and violin departments of the university School of Music.

WAS SO LONG A SPARROW COP.

Capt. Fitzpatrick Says His Long Sojourn in Central Park Made Him Incapable of Detecting Disorderly Resorts.

NOVEL REPLY TO CHARGES.

Police Capt. Hugh Fitzpatrick, recently suspended on charges of neglect of duty in failing to suppress disorderly resorts while in charge of the East Twenty-second street station, took the stand in his own defense at his trial before Deputy Commissioner Ebbelston to-day.

The charges against Capt. Fitzpatrick grew out of a number of raids in his precinct by the Parkhurst society. This was in last January. When the prosecution finished offering testimony the accused Captain took the stand.

He said that before he went to the East Twenty-second street station he had never had any experience in getting evidence against disorderly resorts. He said that when he was appointed on the force he was detailed in Central Park and had been there through all the years of his promotion until a short time ago, when he was shifted from one precinct to another. It was not until his last command that he was confronted with a situation involving disorderly resorts.

Capt. Fitzpatrick said that while in charge of the East Twenty-second street station he had never neglected any complaints sent into him, but had immediately despatched his plain clothes men to investigate. They had always come back and reported that they could get no evidence. He said that he had personally visited the sixty-four hotels and the 143 saloons in the precinct but was unable to find any violations of the law. While in charge of the precinct 2,796 arrests were made, 836 of them being women.

POLICEMAN CLUBBED HER.

Mrs. Feinstein Says She Was Badly Beaten in Station-House.

Edward Feinstein, of No. 322 East Twenty-eighth street, was arraigned in Yorkville Police Court to-day on a charge of assault preferred by Police-Matthiessen, of the East Twenty-second street station. Magistrate Denel held him in \$500 bail for trial.

Feinstein's mother, Mrs. Christina Feinstein, was also a prisoner, charged with disorderly conduct, together with four boys living in the same neighborhood. The boys were Otto Welner, Emil Mettel, Henry Johnson and John Moynan.

Mrs. Feinstein and the four boys were discharged. The woman explained that she had nothing to do with the Sunday disturbance at Second avenue and Twenty-eighth street. She said she followed her son to the police station and that when she protested against his arrest a policeman hit her in the face and beat her over the back with his club.



PRAISE AND BLAME FOR POLICEMEN

While One Delinquent Is Dismissed the Force, Another Receives a Medal.

Acting on the recommendation of Deputy Commissioner Ebbelston, Police Commissioner Greene to-day dismissed from the force Patrolman Frederick Wick, formerly of the Leonard street station. Two weeks ago Wick, who has been on the force for sixteen years, was up on charges of being drunk. For this offense he was fined fifteen days' pay, two for being off post and one for falsely reporting sick.

Mr. Ebbelston found him guilty of these charges and recommended his dismissal. At his own request Doorman Edward McIntyre, who has been attached to the station at the Arsenal in Central Park, was retired to-day. Mr. McIntyre has been on the force for twenty-two years and is sixty years old.

Commissioner Greene personally presented a silver medal awarded by the Treasury Department to Patrolman Patrick J. Kelly, of the Macdougall street station. Kelly was formerly with the Harbor Police Squad and the medal was awarded him for rescuing Mrs. Bridget Farrell from drowning on Feb. 2, 1902.

Commissioner Greene announced that he had sent for Capt. Michael Gorman, of the Mercer street station, for the purpose of having a talk with him concerning the raids on Saturday night and which resulted in Magistrate Crane rebuilding Capt. Gorman when the prisoners captured in the raids were arraigned in the Jefferson Market Court.

"BOMB" DIDN'T SCARE HIM.

Mosher Picked It Up and Decided to Make Paperweight of It.

When Alfred Mosher, of the firm of O'Brien & Mosher, boxmakers, at No. 23 Greene street, was entering his place of business to-day he found something that looked like an infernal machine on the doorstep. Not having any enemies, Mr. Mosher was not alarmed. He took the thing in and examined it and then placed it on his desk and showed it to every one who dropped in.

The bomb appeared to be a projectile used in a heavy gun. It was two inches in diameter at the base, eight inches long, and the ball tapered to a point. There was a fulminating cap in the base of the shell. The shell was rusty and there were remnants of a label on it.

Mr. Mosher concluded that the thing was a Spanish war relic. His partner, Mr. O'Brien, was not at all pleased at Mr. Mosher's evident intention of making a paperweight of the shell. He took it to the Mercer Street Station, where Sergt. Tucker examined it and sent it to the Bureau of Com-bustibles.

STRONG CASE AGAINST CROSS.

Member of Jerome's Staff Declares They Have Evidence of Friendship Between Inspector and Dive-Keeper.

WASN'T INTERFERED WITH.

The evidence which will be offered against Inspector Adam Cross when he is placed on trial Friday tends to prove that he permitted two particular places of an improper character to do business in his district. The proprietor of one of these places was frequently seen in the company of the Inspector. It is said. On three occasions this man and Inspector Cross were seen together at the race track.

"These were not casual meetings, as we will prove," said a member of the staff of the District-Attorney's office to an Evening World reporter to-day. "The meetings between Cross and the man were by prearrangement. On three occasions the Inspector and the proprietor journeyed to the race track together and remained in each others company throughout the day on each trip. They came back to the city in company and parted after shaking hands each time. We are convinced that the reports are absolutely correct. We made it our business to know all about him. It is true that the Inspector has been under observation for many months and the office has spent considerable money in preparing this case."

"Inspector Cross is known to us as a very 'wise' sort of police official. He was very particular in all of his transactions. He has preserved all of the reports made to him by captains and sergeants and even roundsmen. In many cases he has saved the original reports of ordinary patrolmen, and these are in his possession. It has been said that he has been the cause of some purpose which may become apparent now that he is to be placed on trial. These reports cover many cases, but not the two identical ones on which the charges are based. The house run by the man with whom the Inspector went three times to the race track is not mentioned in the reports. It is said that an attempt was made to close it, although it was notorious for its bad character. The Inspector ever made a move against this friend of his, the keeper of a dive."

"There is evidence on the other hand, however, which pointedly indicates that the Inspector was called to the existence of the house, but the place remained exempt from police interference. The fact is that he will put up a good fight, but he will not attempt to spring a surprise, but we are prepared for it. We have certainly got Mr. Cross with the 'goods' this time and we think we can demonstrate it to the satisfaction of everybody."

"What the force has brought to the attention of the Grand Jury finally" was asked. "That depends upon developments. It is a difficult matter to secure a conviction in a trial by jury for wilful neglect of duty, but if we are permitted to present the facts which we have there is no question that Inspector Cross cannot hold in General Sessions. My impression is now that his case will eventually get into the criminal courts. He cannot deny that he is acquainted with the dive-keeper, that he knew of the existence of the dive or that the place ob-tained police protection from some source."

THIS "AUTOMATON" LIVES.

A New Wonder Attracts Attention to Regal Shoe Stores' Windows.

"Get on to the wax works!" "My, ain't he a stunner!" The small boy's enthusiasm was equalled by the wonderment of grown up pedestrians who stopped in curiosity and crowded before the Regal Shoe Company store at No. 115 Nassau street, viewing in amazement the exhibition which was going on in the show window.

A man, an exact counterpart of a wax automaton, stood in the window with the neck and measured movements of an automatic figure, exhibited the qualities of inferior shoes and those of the company he was advertising.

His face, made up with a coat of wax, and his never winking eyes provoked endless discussion. "He can't be alive." "Yes, he is, though," were the conflicting comments. The novel advertising scheme which the Regal Shoe Company is showing at its fourteen different stores consists of a wonder from St. Louis, who cuts up shoes and displays their qualities to the public in strictly automatic manner. His name is Weizand, and the fact that he can keep his face immovable and not wink for one hour and forty minutes puts him in the class of the most marvelous living automaton will make a credit of the company's stores, and is attracting unusual attention."

Patterson Tinsmiths to Strike.

Building operations in Patterson, N. J., will be seriously interfered with to-day, when the tinsmiths will go on strike. They demand \$12 a day instead of \$8 and that forty-four hours shall constitute a week's work, instead of forty-eight hours.

A ROCKEFELLER ON GRAND JURY.

The Oil Magnate Is Chosen as Foreman of the March Body and Is Advised to Study the Penal Code.

NO SPECIAL INSTRUCTIONS.

William G. Rockefeller, the multimillionaire oil magnate, was selected by Judge Cowing in Part I. of the Court of General Sessions, to-day as foreman of the March Grand Jury, and if he complies with the advice of the Court he will take a copy of the penal code home every night and study the criminal statutes closely.

In delivering his charge to the Grand Jury after the members had taken the oath, Judge Cowing said that there was nothing in particular to which to call their attention. He said that 126 complaints of various felonies and misdemeanors were awaiting attention. Sixty-seven of these complaints are prison cases and in the remaining fifty-nine the defendants are out on bail.

The Court then read the laws governing the conduct of grand juries and called attention to the fact that the rules of evidence were so intricate that often the judges were puzzled in their attempt to interpret them. Therefore he advised that the members of the jury secure copies of the penal code and take them to their homes at night and study them closely.

Mr. Rockefeller's associates are: George Bordin, retired, No. 111 East Fifty-ninth street; R. K. Dana, manager, No. 28 West Thirty-third street; Edward C. Post, retired, No. 359 West End avenue; James R. Plann, merchant, No. 76 Gold street; Oscar Beckmann, merchant, No. 108 Broadway; James B. Horner, oil, No. 3 Platt street; Charles V. Felle, merchant, No. 48 South street; John J. Tierney, retired, No. 134 East Eighty-fifth street; Richard B. Harris, home, barker, Wall street; James M. Robertson, manager, No. 37 Wall street; William E. Caldwell, insurance, No. 4 Fine street; Thomas J. Brady, builder, No. 112 Broadway; John H. Rand, manufacturer, Country Club, Westchester; John Kelly, retired, No. 50 East One Hundred and Twenty-seventh street; David Freed, painter, No. 43 Pearl street; James O. Pollon, shipwright, No. 224 South street; Jacob Sleschauer, treasurer, No. 23 East Forty-fourth street; Donald Nicol, clothing, No. 71 Broadway; Henry Kroger, merchant, No. 46 Greenwich street; George Abell, iron, No. 120 South street; J. Chester Hapgood, merchant, No. 100 Broadway; Theodore W. Morris, glass, No. 440 Canal street.

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